

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re Lion Air Flight JT 610 Crash

Lead Case: 1:18-cv-07686

Honorable Thomas M. Durkin

This filing applies to
All Cases

**THE BOEING COMPANY'S SIXTH STATUS REPORT
ON REMAINING INDIVIDUAL ACTIONS**

Boeing hereby provides an updated report on the number and status of the remaining individual actions.

The parties have successfully settled all but a handful of the claims arising from the tragic Lion Air Flight JT610. Boeing appreciates the assistance of the mediator, Judge Donald O'Connell, in reaching these settlements.

The parties have fully or partially settled claims on behalf of 175 of the 186 decedents on whose behalf claims have been filed. Boeing continues to engage in good-faith negotiations through Judge O'Connell on the claims that have not yet settled, but progress has slowed. Three claims were settled through mediation in January. Boeing participated in mediations in February with one set of attorneys representing the vast majority of the unsettled claims, but the parties so far have been unable to reach agreement. The mediator is continuing to work with the parties on these claims. Given the ongoing discussions, Boeing respectfully requests that the Court continue the stay and set a deadline of March 8, 2021, ten days from now, for Boeing's next status report.

Background

The Plaintiffs and Boeing committed at the outset to negotiate in good faith to settle these claims for full compensatory damages under the applicable law as assessed based on the facts and circumstances of each case. May 17, 2019 Joint Case Management Report at 1. The Court

adopted the parties' proposal and struck all pending deadlines in the litigation to allow the settlement negotiations and mediations to proceed. May 20, 2019 Docket Entry. The parties then began mediating with the assistance of mediator Hon. Donald O'Connell, former Chief Judge of the Circuit Court of Cook County. The first mediation was held on July 16, 2019. The parties have made substantial progress resolving claims, including using virtual mediations due to the COVID-19 pandemic.

Status of Individual Actions

Detailed information on the filed cases is provided below, but the following charts provide a high-level summary of the status of the claims brought in the litigation.

By Action	
Dismissed	67
Expected to be Dismissed	10
Remaining	10
Total	87

By Decedent	
Fully Settled	169
Partially Settled	6
Fully Unsettled	11
Total	186

To date, 87 individual actions arising out of the October 29, 2018 accident involving Lion Air Flight JT 610 have been filed in or removed to this Court. The complaints in these actions assert wrongful death and other claims on behalf of 186 different decedents out of the 189 people

who were on board Lion Air Flight 610.¹ The parties have fully or partially settled—and are at various stages of finalizing (as discussed below)—claims on behalf of 175² of the 186 decedents on whose behalf claims have been filed.

The claims relating to 132 decedents have been settled and fully dismissed, either as a result of a stipulation of dismissal or a motion for approval of the settlement. These stipulations and motions resulted in full dismissal of 67 of the 87 actions filed so far, leaving 20 individual actions that are currently open. A list of those 20 actions follows below. The 20 open actions involve claims on behalf of 54 different decedents.

Of the claims for 54 decedents in the open actions, the plaintiffs and Boeing have fully or partially settled the claims for 43 of those decedents. These settlements are in the process of being fully documented. Boeing expects that these settlements will lead to additional stipulations of dismissal and motions for approval of the settlements in the near future. Boeing expects that the dismissal of these claims will include the full dismissal of 10 of the 20 currently open actions. Boeing is engaged in settlement discussions and/or mediations with plaintiffs' counsel on the remaining claims.

Considering all claims without regard to whether the claims have been filed in this Court yet or not, 176 claims have fully or partially settled. This total includes one claim that settled prior to suit being filed. Boeing has not been presented with claims for two of the decedents on the aircraft.

¹ Although the claims relating to some decedents have been included in multiple, separate actions, there are 186 different, unique decedents represented in the cases filed to date.

² In Boeing's Fifth Status Report, Boeing reported 174 settlements. Since then, three claims settled at mediation in January. The reason that the number in this report has only increased by one relates to two claims that appeared to settle at a mediation in February 2020. Those plaintiffs retained new counsel and Boeing was advised that the plaintiffs were unwilling to finalize the settlements. The claims were unsuccessfully mediated with the new counsel in February 2021. Boeing therefore has removed those two claims from its tally of settled claims.

List of Currently Open Actions

CASE NO.	CASE NAME
1:18-cv-07686	In re: Lion Air Flight JT 610 Crash Saputra, et al. v. The Boeing Company
1:19-cv-00797	Kurniawati v. The Boeing Company
1:19-cv-01552	Chandra v. The Boeing Company
1:19-cv-01588	Ellisa v. The Boeing Company
1:19-cv-01601	Subekti v. The Boeing Company
1:19-cv-01623	Pranata v. The Boeing Company
1:19-cv-01701	Wijaya, et al. v. The Boeing Company
1:19-cv-02764	Oktaviani, et al. v. The Boeing Company
1:19-cv-02774	Agnes Tjandra, et al. v. The Boeing Company
1:19-cv-02919	Rosanna Simarmata, et al. v. The Boeing Company
1:19-cv-03415	Soegiyono v. The Boeing Company
1:19-cv-05217	Komar, et al. v. The Boeing Company
1:19-cv-05220	Liyanah, et al. v. The Boeing Company
1:19-cv-05311	Soegiyono v. The Boeing Company
1:19-cv-07091	Smith, et al. v. The Boeing Company, et al,
1:20-cv-02643	Abidin, et al. v. The Boeing Company
1:20-cv-04137	Suryati v. The Boeing Company
1:20-cv-05498	Sethi v. The Boeing Company
1:20-cv-05773	Khan v. The Boeing Company
1:20-cv-06380	Rejeki et al. v. The Boeing Company

Conclusion

Pursuant to the mediation process approved by the Court and with the assistance of Judge O'Connell, the parties have made remarkable progress in resolving these claims. All of the remaining, unsettled claims have been mediated or otherwise the subject of settlement discussions. Those discussions continue, and Boeing hopes that additional settlements will be achieved.

For the reasons stated above, Boeing respectfully requests that the Court continue to stay the litigation and set a deadline of March 8, 2021 for Boeing's next status report to allow the parties to continue to engage in mediations and settlement negotiations to try to resolve the remaining claims.

DATED: February 26, 2021

THE BOEING COMPANY

By: /s/ Mack H. Shultz, Jr.

One of its Attorneys

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CERTIFICATE OF SERVICE

I, Mack H. Shultz, Jr., certify that on February 26, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record. I also certify that I served the foregoing by email to the following attorneys:

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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 26th day of February 2021.

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